

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES,
ex rel. **DONALD PALMER,**
Plaintiff,

v.

C & D TECHNOLOGIES, INC.,
Defendant.

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CIVIL ACTION

NO. 12-907

ORDER

AND NOW, this ____ day of July, 2015, upon consideration of Relator's Motion for Summary Judgment (Docket Nos. 59, 60, 72), Defendant's Motion for Summary Judgment (Docket Nos. 63, 64, 65, 66, 75), Relator's Motion to Exclude Joseph Groeger (Docket Nos. 61, 62, 73), Defendant's Motion to Exclude David Bahr (Docket Nos. 67, 68), Defendant's Motion to Exclude Gary Poleskey (Docket Nos. 69, 70) and the Responses and Replies thereto (Docket Nos. 77-87, 89-91), and following oral argument on July 2, 2015, it is hereby **ORDERED** that:

1. Relator's Motion for Summary Judgment (Docket Nos. 59, 60, 72) is **DENIED**;
2. Defendant's Motion for Summary Judgment (Docket Nos. 63, 64, 65, 66, 75) is **DENIED**;
3. Relator's Motion to Exclude Joseph Groeger (Docket Nos. 61, 62, 73) is **DENIED**;
4. Defendant's Motion to Exclude David Bahr (Docket Nos. 67, 68) is **DENIED**; and
5. Defendant's Motion to Exclude Gary Poleskey (Docket Nos. 69, 70) is **DENIED**.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE